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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANE ROE, an individual; MARY ROE, an individual; SUSAN ROE, an individual; JOHN ROE, an individual; BARBARA ROE, an individual; PHOENIX HOTEL SF, LLC, a California limited liability company; FUNKY FUN, LLC, a California limited liability company; and 2930 EL CAMINO, LLC, a California limited liability company,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN FRANCISCO, a California public entity,

Defendant.

Case No. 4:24-cv-01562-JST

DEFENDANT CITY AND COUNTY OF SAN FRANCISCO'S ADMINISTRATIVE MOTION FOR AN ORDER ALLOWING DEFENDANT TO EXCEED THE 25 PAGE LIMIT FOR THE MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Trial Date: August 10, 2026

1 Defendant City and County of San Francisco requests leave to file a memorandum of points
2 and authorities in support of its Opposition to Plaintiffs' Motion for a Preliminary Injunction seven
3 pages over the standard page limit pursuant to Civil Local Rule 7-11. The additional pages are
4 necessary given the scope of Plaintiffs' motion, the number of parties in the case, and the jurisdictional
5 issues Plaintiffs' motion presents.

6 Eight Plaintiffs—five individuals and three corporate entities—filed a 25-page Motion for
7 Preliminary Injunction on August 25, 2024, accompanied by ten declarations. ECF NO. 101. Plaintiffs
8 base their motion on claims of public and private nuisance and allege individual harms ranging from
9 financial loss to difficulty using the sidewalk to emotional distress. *Id.* The City's opposition is due
10 Monday September 22, 2025 and is limited to 25 pages unless the Court permits additional pages. ECF
11 No. 99; Civ. L. R. 7-3(a).

12 In the two weeks since Plaintiffs filed their motion the City worked to identify facts and legal
13 arguments it will need to oppose the motion and began drafting its opposition with the expectation that
14 the page limit for the brief would be 25 pages consistent with the Northern District's Local Rules.
15 Murphy Decl. ¶ 2. The City made a good faith effort to limit the length of its memorandum of points
16 and authorities, but cannot adequately brief the Court on the issues raised within the 25-page limit. *Id.*
17 at ¶ 3.

18 The City needs additional pages to respond to the unique and varied harms alleged by each of
19 the plaintiffs. The City is also mindful of the requirement that it include any evidentiary objections
20 within its brief. Civ. L. R. 7-3(a). Without arguing the merits of the underlying motion, the City will
21 be required to devote space in its opposition to the evidentiary issues with the declarations, documents,
22 and deposition transcripts on which Plaintiffs rely. Further, Plaintiffs' own full-length motion does not
23 address key legal issues on which they have the burden, such as the factual basis for continued Article
24 III standing. The City will therefore need additional pages to argue these issues that Plaintiffs ignored.

25 The City wrote to Plaintiffs' counsel on September 3, 2025, asking if Plaintiffs would stipulate
26 to a page extension that would permit the City seven additional pages for its opposition and Plaintiffs
27 five additional pages for their reply. Murphy Decl. ¶ 4. Plaintiffs declined to stipulate or offer a
28 counter proposal. *Id.* A stipulation therefore could not be obtained. Civ. L. R. 7-11(a).

1 For the above-referenced reasons, the City respectfully requests the Court grant its motion. In
2 the event the Court grants the City an additional seven pages for its opposition briefing, the City stands
3 by its earlier offer to Plaintiffs and would not oppose a corresponding five-page extension of the reply
4 page limit.

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6 Dated: September 9, 2025

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